IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2765 OF 2004
IN
WRIT PETITION NO.3020 OF 2004

Annasaheb Kuber Chougule .. Applicant.
Vs.
Joint Registrar Co-operative
Societies, Kolhapur & Ors. .. Respondents.

Mr.S.S.Patwardhan for the applicant.
Ms.Namrata Waghole i/b Mr.T.S.Ingale for
respondent nos.4 and 5.

CORAM : D.B.BHOSALE, J.

DATED : 3RD NOVEMBER, 2004

P.C.:

. Heard Mr.Patwardhan, learned counsel for the applicant and Ms.Waghole, learned counsel for respondent nos.4 and 5.

2. Mr.Patwardhan, learned counsel for the applicant submits that the parties have amicably settled the dispute and in pursuance thereof the applicant has paid Rs.6,60,000/- to the respondent-bank by bankers' cheque dated 25.10.2004. The said cheque has been encashed and the bank has issued no due certificate. In view of that he prays for withdrawal of Writ Petition No.3020 of 2004 and refund of the amount of

Rs.6,17,030/- deposited in this court in pursuance of the order dated 7th April, 2004 passed in Writ Petition No.3020 of 2004. Ms.Waghole, learned counsel for respondent nos.4 and 5 has no objection for allowing the civil application in terms of prayer clause (a) and (b). Prayer clause (a) and (b) reads thus:

> "(a) this Hon'ble Court be pleased to allow the Petitioner to withdraw the Writ Petition No.3020 of 2004 from the record of this Hon'ble Court.
>
> (b) this Hon'ble Court be pleased to direct the Registry to refund the amount of Rs.6,17,030/- to the Petitioner deposited by him in this Hon'ble Court on 15th April, 2004 in pursuance of the order of this Hon'ble Court dated 7th April, 2004 in Writ Petition No.3020 of 2004".

. Civil application is disposed of. Consequently, the writ petition stands dismissed as withdrawn.

(D.B.Bhosale, J.)